



State of California
The Natural Resources Agency
California Department of Forestry and Fire Protection

NOTICE OF EXEMPTION

PROJECT TITLE	Cow Creek Phase I		
PROJECT LOCATION	Portions of; T33N, R1W, SEC 4, 5, 8, 9, 10, 16, 17, 18 MDBM T34N, R1W, SEC 32, 33, 34 MDBM	COUNTY	Shasta
LEAD AGENCY	California Department of Forestry and Fire Protection (CAL FIRE)		
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PROJECT DESCRIPTION

CAL FIRE, in cooperation with several private landowners, is planning an approximately 100-acre roadside fuel reduction project east of Oak Run, CA. This project is located on several different vegetation types including; mixed conifer, oak woodland, and chaparral. Fuel reduction treatment is proposed throughout the project area. Manual fuel reduction will be completed by thinning suppressed trees (generally <10" DBH) and shrubs up to approximately 50' on either side of Buzzards Roost Rd. and Bullskin Ridge Rd. Cut materials will be treated by chipping. Chips will be broadcast back onto the unit.

EXEMPTION STATUS

- ☒ Categorical Exemption - Type/Section: Class 4 § 15304
Minor Alterations to Land
- ☐ Statutory Exemption (state code section):
- ☐ Ministerial (§21080(b)(1); 15268)
- ☐ Declared Emergency (§21080(b)(3); 15269(a))
- ☐ Emergency Project (§21080(b)(4); 15269(b)(c))

REASONS PROJECT IS EXEMPT


Field review by CAL FIRE staff confirmed that no exceptions apply which would preclude the use of a Notice of Exemption for this project. The Department has concluded that no significant environmental impact would occur to aesthetics, agriculture and forestland/timberland, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, or to utilities and service systems. Documentation of the environmental review completed by the Department is kept on file at 875 Cypress Ave., Redding, CA 96001.

DATE RECEIVED FOR FILING

Governor's Office of Planning & Research

JUL 26 2019

STATE CLEARINGHOUSE

 7/24/19
Matthew Reischman, Assistant Deputy Director Date
California Department of Forestry and Fire Protection

Note: This report form is intended for use by California Department of Forestry and Fire Protection (CAL FIRE) staff to document a limited environmental impact analysis supporting the filing of a Notice of Exemption (NOE) document for a proposed CAL FIRE project. Although the project appears to fit within the descriptions for allowable Categorical Exemptions, this report presents CAL FIRE's review for possible "Exceptions"

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Project Name: Cow Creek Phase I
Project Number:
Program Type: Fuels Reduction
CAL FIRE Unit: Shasta-Trinity
County: Shasta
Acres: Approximately 100
Legal Location: Portions of; T33N, R1W, SEC 4, 5, 8, 9, 10, 16, 17, 18 MDBM
T34N, R1W, SEC 32, 33, 34 MDBM
Name of USGS 7.5' Quads: Oak Run, Whitmore, and Montgomery Creek
Map(s):
☒ Project Vicinity Map Attached ☒ Project Location Map Attached ☐ Photos Attached

Would the project result in:

alterations to a watercourse (DFG - Lake and Stream Alteration Agreement)
conversion of timberland (CAL FIRE - Conversion Permit or Exemption)
demolition (Local Air District - Demolition Permit)
soil disturbance over 1 acre (RWQCB - SWPPP)
fill of possible wetlands (404 Permit - USACE)
other: N/A

[illegible]

Discuss any above-listed topic item checked Yes and consultation with agencies:

The project area is approximately 100 acres and spans multiple private ownerships along Buzzards Roost Rd. and Bullsken Ridge Rd. east of Oak Run (see map). Elevations range from approximately 1400' – 2350'. Aspects include N, S, E, and W. Topography is mostly gentle (5%-45%) throughout much of the project area. However, there are some steep sections, generally associated with creeks / draws and road cuts, with slopes up to 75%. Several unnamed tributary creeks are located within the project area. These tributaries drain into Little Cow Creek and/or Oak Run Creek. Portions of several meadows are also found within the project area. These meadows have been adversely impacted by encroaching conifers.

Past management and development have affected the project area. This includes rural residential development, powerline construction, road building, fire suppression, ranching, and logging. These activities have impacted the ecosystem within the project area. For example, fire suppression has increased conifer growth into meadows and timber management has resulted in the reduction of oak woodland habitat.

The area is characterized by a mosaic of mixed conifer, oak woodland, chaparral, grassland, and riparian areas in a variety of conditions. These conditions range from nearly pure stands of chaparral and conifer to mixed stands of conifer, oak, shrubs, and grasses. There are perennial and intermittent streams in portions of the project area. These riparian areas consist of a variety of vegetation, including big leaf maple (*Acer macrophyllum*), red alder (*Alnus rubra*), red elderberry (*Sambucus racemosa*) and willow (*Salix spp.*). Invasive Himalayan blackberry (*Rubus armeniacus*) is also found along portions of riparian zones. The forest is primarily oak woodland and conifer consisting of Oregon white oak (*Quercus garryana*), California black oak (*Quercus kelloggii*), Blue oak (*Quercus douglasii*), Canyon live oak (*Quercus chrysolepis*), Valley oak (*Quercus lobata*), Pacific madrone (*Arbutus menziesii*), Douglas-fir (*Pseudotsuga menziesii*), Incense cedar (*Calocedrus decurrens*), Ponderosa pine (*Pinus ponderosa*), Sugar pine (*Pinus lambertiana*), Gray pine (*Pinus sabiniana*), Western redbud (*Cercis occidentalis*), and California buckeye (*Aesculus californica*).

Chaparral ecosystem type and/or associated species also occurs throughout much of the project area. The chaparral species mainly include, but are not limited to, Wedgeleaf ceanothus (buckbrush) (*Ceanothus cuneatus*), Deerbrush (*Ceanothus integerrimus*), Greenleaf manzanita (*Arctostaphylos patula*), and Whiteleaf manzanita (*Arctostaphylos viscida*). The chaparral ecosystem occurs in pure stands, up to several acres or more and as small patches intermixed with oak woodland or mixed conifer forest.

Fuel reduction treatment is proposed throughout the project area. Manual fuel reduction will be completed by thinning suppressed trees (generally <10" DBH) and shrubs up to approximately 50' on either side of the two roads. Cut materials will be treated by chipping. Chipped materials will be broadcast back onto the unit.

Environmental Impact Analysis

Aesthetics

- ☐ This topic does not apply to this project and was not evaluated further.
☒ This topic could apply to this project, and results of the assessment are provided below:

The project is visible mainly to the nearby residential areas where treatments occur. Treatments will not be generally visible to the traveling public due to access and distance from Highway 299, topography, and the type of treatment, which entails brush removal and understory thinning. The aesthetic appeal of the areas should be improved through treatment.

Agriculture and Forest Resources

- ☐ This topic does not apply to this project and was not evaluated further.
☒ Yes ☐ No Would any trees be felled? If yes, discuss protection of nesting birds and compliance with FPRs.
☐ Yes ☒ No Would the project convert any prime or unique farmland?
☐ Yes ☒ No Would the project result in the conversion of forest land/timberland to non-forest use?
☒ This topic could apply to this project, and results of the assessment are provided below:

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Thinning will primarily only occur in the understory. Trees over 10 inches in DBH will generally not be removed unless they pose a threat to operations. Before any tree is felled it will be assessed for the presence of nests. If any active nest is observed the tree will not be felled during the breeding season. No healthy, mature, scenic trees will be removed by this project pursuant to section 15304 of CEQA.

Air Quality

- ☒ This topic does not apply to this project and was not evaluated further.
☐ Yes ☐ No The local Air Quality Management District guidelines for dust abatement and other air quality concerns were reviewed for this project.
☐ This topic could apply to this project, and results of the assessment are provided below:

Biological Resources

- ☐ This topic does not apply to this project and was not evaluated further.
☐ Yes ☒ No Will the project potentially effect biological resources?
☒ Yes ☐ No Was a current NDDDB review completed? Results discussed below:
☐ Yes ☒ No Was a biological survey of the project area completed? Results discussed below:
☒ This topic could apply to this project, and results of the assessment are provided below:

Queries of the California Natural Diversity Data Base (CNDDB) were conducted in May/June 2019. A 9- quad search centered on the project area generated a list of animal species. Several species were listed as Federally or State "Threatened". These species include; Shasta salamander, California red-legged frog, tricolored blackbird, California black rail, stealhead, chinook salmon, valley elderberry longhorn beetle, wolverine, and fisher. Two species, bald eagle and gray wolf, are listed as Endangered by the State of California.

Shasta Salamander – Per <http://www.californiaherps.com> , this species is generally found "around cliff faces, vertical cavern walls and level ground in mixed forests of Douglas fir, pines, and oaks. Lives in moist caves and rock cracks. Mostly associated with limestone outcrops, but one population has been found in a volcanic outcrop, and others in forest areas with no rock outcrops". Activities associated with this project will not have negative impacts to this type of habitat.

California red-legged frog – Per <http://www.californiaherps.com> , this species is general found "mainly near ponds in humid forests, woodlands, grasslands, coastal scrub, and streamside's with plant cover. Most common in lowlands or foothills. Frequently found in woods adjacent to streams". Activities associated with this project will not have negative impacts to this type of habitat.

Tricolored blackbird – Habitat for this species includes cattail marshes, marshy meadows, and rangelands. Activities associated with this project will not have negative impacts to this type of habitat.

California black rail – Habitat for this species does not exist within the project area.

Stealhead and Chinook salmon – Little Cow Creek is the only suitable habitat for these species within the project area. Standard Watercourse Lake Protection Zone (WLPZ) protection measures will be implemented to protect riparian habitat. Activities associated with this project will not have negative impacts to this type of habitat.

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Elderberry longhorn beetle – habitat for this species is always associated with its host plant, red or blue elderberry (*Sambucus spp.*), adjacent to rivers and streams. Individual red elderberry plants are found sporadically along the project area. This species will not be targeted for removal. Further, (WLPZ) (see below) protection measures will be implemented to protect riparian habitat. Activities associated with this project will not have negative impacts to this type of habitat.

Wolverine – Per animaldiversity.org, this species is “found in alpine forests, tundra, open grasslands, and boreal shrub transition zones at or above timberline. Generally, they live in areas with low human development and need large, undisturbed ranges to survive”. Activities associated with this project will not have negative impacts to this type of habitat.

Pacific fisher – According to <https://www.fws.gov/yreka/fisher.html>, this species is generally found in “forest habitats with dense canopy closure, large diameter live trees (conifers and hardwoods) and snags (dead trees) with cavities and other deformities, large diameter down wood, multiple canopy layers. Mature and Late-successional coniferous or mixed forests that contain key habitat and structural components provide the most suitable fisher habitat because they provide abundant potential den sites and preferred prey species”. Activities associated with this project will not have negative impacts to this type of habitat.

Bald Eagle – Habitat for this species includes lakes, rivers, marshes, and seacoasts. This type of habitat can be found along Little Cow Creek. No known nest are found within the project area. WLPZ protection measures will be implemented to protect riparian habitat. Activities associated with this project will not have negative impacts to this type of habitat.

Gray wolf – This species is a habitat generalist and can live throughout the northern hemisphere. This species was extirpated from California in the early 1900's. The gray wolf is currently returning to portions of northern California. Activities associated with this project will not affect gray wolf habitat.

The 9-quad search also generated a list of plant species to analyze. The following 1B and 2B species and/or their habitat are known to or believed to exist within the 9-quad search area; Shasta ageratina, silky cryptantha, Ahart's paronychia, Shasta huckleberry, maverick clover, Siskiyou clover, finger rush, Callahan's mariposa-lily, Shasta fawn lily, Shasta clarkia, Shasta limestone monkeyflower, Sierra blue grass, Jepson's horkelia, and Shasta snow wreath.

For each plant, habitat attributes were identified and analyzed to determine the likelihood of their actual presence within the project area. The CNDDDB databases were checked in June 2019. There are no known element occurrences in the project area. Further, no serpentine soils or large rock outcrops are present.

Shasta snow wreath	Perennial shrub associated mostly with riparian areas from approximately 1100'-1700'	Habitat for this species occurs within the project area. No anticipated impact.
Jepson's horkelia	Perennial herb associated with serpentine soils in dry open places in oak-conifer forests from approximately 720'-2000'	Habitat for this species may occur within the project area. No anticipated impact.
Sierra blue grass	Perennial grass associated with shady moist slopes, mossy rocks, canyons, and forests from approximately 1150'-5100'	Habitat for this species may occur within the project area. No anticipated impact.

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Shasta limestone monkeyflower	Annual herb associated with limestone cliffs and outcrops from approximately 1800'-3300'	Habitat for this species is not likely to occur within the project area. No anticipated impact.
Shasta clarkia	Annual herb associated with cismontane woodland and lower elevation conifer forest from approximately 1430'-1890'	Habitat for this species occurs within the project area. No anticipated impact.
Silky cryptantha	Annual herb associated with rocky volcanic soils, streambanks and gravel bars from approximately 520'-1100'	Habitat for this species is not likely to occur within the project area. No anticipated impact.
Ahart's paronychia	Annual herb associated with moist rocky habitat and vernal pools in oak woodlands from approximately 230'-1000'	Habitat for this species does not occur within the project area. No anticipated impact.
Shasta huckleberry	Perennial shrub associated with streambanks, conifer forest understory, crevices or seeps among outcrops, and chaparral from approximately 960'-3675'	Habitat for this species may occur within the project area. No anticipated impact.
Maveric clover	Annual herb associated with volcanic clay, openings, streambanks, vernal pools in chaparral, grasslands, conifer and oak woodland from approximately 450'-2050'	Habitat for this species may occur within the project area. No anticipated impact.
Siskiyou clover	Perennial herb associated with streambanks, meadows and seeps from approximately 2600'-4500'	Habitat for this species is not likely to occur within the project area. No anticipated impact.
Finger rush	Annual herb associated with wetlands, swales, and vernal pools from approximately 1950'-2400'	Habitat for this species may occur within the project area. No anticipated impact.
Callahan's Mariposa lily	Perennial herb associated with blue oak woodland from 1300'-5100'	Habitat for this species occurs within the project area. No anticipated impact.
Shasta fawn lily	Perennial herb associated with north facing slopes and shaded limestone outcrops in forest openings from approximately 1000'-3050'	Habitat for this species may occur within the project area. No anticipated impact.

On June 12, 2018, the official species list for the project area was generated from the US Fish and Wildlife Service website (<https://ecos.fws.gov/ipac>). Per the US Department of Interior Fish and Wildlife Service's Information for Planning and Consultation tool (IPaC), the following federally threatened or endangered plant and animal species or their habitat were identified to possibly be found within the

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project scoping area: northern spotted owl, California red-legged frog, Delta smelt, Shasta crayfish, and Vernal pool fairy shrimp. There is no critical habitat for any of these species within the project area.

Per the IPaC report there are a number of migrating birds of particular concern because they occur on the USFWS Birds of Conservation Concern list or warrant special attention due the project location. These migrating birds include, but are not limited to; California thrasher, Golden eagle, Great blue heron, Lewis's woodpecker, Nuttall's woodpecker, Oak titmouse, Rufous hummingbird, Song sparrow, Spotted towhee, and Western screech owl.

The following avoidance measures will be implemented to ensure compliance with the Migratory Bird Treaty Act. If MBTA species or any active nest are detected during pre-activity surveys or during project implementation: The species will not be killed, harmed or harassed; The active nest will not be adversely disturbed or destroyed; an appropriate buffer will be established around the active nest during the breeding season (March – August). These protection measures are not implemented outside of breeding season.

No bald or golden eagle nest are found within the project area. Appropriated protection measures associated with the Bald and Golden Eagle Protection Act will be implemented if a nest is discovered during operations.

Cultural Resources

- ☐ This topic does not apply to this project and was not evaluated further.
- ☒ Yes ☐ No Was a current archaeological records check completed? Results discussed below:
- ☒ Yes ☐ No Was a CAL FIRE Staff or Contract Archaeologist consulted? Results discussed below:
- ☐ Yes ☒ No Was an archaeological survey of the project area completed? Results discussed below:
- ☐ Yes ☒ No Will the project effect any historic buildings or archaeological site?
- ☒ This topic could apply to this project, and results of the assessment are provided below:

A records checks covering the project area was requested on May 5, 2019. Results of this search indicate that portions of the project area are sensitive for prehistoric, protohistoric, and/or historic cultural resources. Further, 5 prehistoric sites have been previously identified within and/or adjacent to the project area. Notification letters were sent to the relevant tribal contacts pursuant to the Forest Practice Rules on May 5, 2019.

CAL FIRE Senior State Archaeologist Stephanie Velasquez was consulted in June 2019 to see if additional archaeological surveys were required for this project. It was determined that the practices (cutting and chipping) associated with this project are considered exempt from further surveys. Further, to protect known archaeological sites and any sites that may be discovered during operations, the following practices shall be implemented;

Manual fuel reduction will only occur within approximately 50' on either side of the road during dry soil condition. Cut material will be bucked and hand carried to a chipper, which will be towed on existing roads. Chipped material will be broadcast back into the unit.

Geology and Soils

- ☐ This topic does not apply to this project and was not evaluated further.
☒ This topic could apply to this project, and results of the assessment are provided below:

The proposed project should not result in significant adverse impacts to slope stability or soil productivity due to the following conditions and project parameters:

- The project area does not contain any known unstable areas.
- Only hand crews will be used for this project. Additionally, the overstory will remain intact.

Greenhouse Gas Emissions

- ☐ This topic does not apply to this project and was not evaluated further.
☐ Yes ☒ No Would the project generate significant greenhouse gas (GHG) emissions?
☐ Yes ☒ No Would these GHG emissions result in a significant impact on the environment?

Discuss below:

- ☐ Yes ☒ No Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? Discuss below:

The project area is approximately 100 acres. Because of the small scope, treatments are not likely to produce significant Greenhouse gas (GHG) emissions which could result in adverse impacts on the environment. Also, project activities will be limited to a short time frame and will not result in a long term increase in GHG emissions. GHG emissions will result from exhaust associated with the use of chainsaws and project vehicles. Removing understory vegetation will result in a reduction of carbon sequestration. However, the improved growing conditions as a result of the proposed treatments should improve the residual stands' photosynthetic capacity, increase vigor in residual trees due to a reduction in competition, and result in an overall increase in carbon sequestration rate.

Hazards and Hazardous Materials

- ☐ This topic does not apply to this project and was not evaluated further.
☒ This topic could apply to this project, and results of the assessment are provided below:

Safety hazards could result from operating chainsaws and cutting tools. All necessary precautions will be implemented to ensure personnel safety. These precautions include proper training and the use of personal protective equipment (PPE).

The only "hazardous material" being utilized for this project is gasoline, diesel, and bar oil. Equipment used on this project will not be serviced in locations where servicing will allow grease, oil, or fuel to pass into a watercourse. All containers shall be properly labeled and equipped with nozzles designed to prevent accidental spillage.

Hydrology and Water Quality

- ☐ This topic does not apply to this project and was not evaluated further.
☐ Yes ☒ No Will the project potentially affect any watercourse or body of water?
☒ This topic could apply to this project, and results of the assessment are provided below:

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Much of the project is located along roads that traverse ridgetops. However, along the way, the roads traverse several intermittent creeks, meadows, as well as a fish bearing stream (Little Cow Creek). No portion of the project is located within designated Critical Coho Habitat. This project will implement WLPZ mitigation measures associated with the California Forest Practice Rules. Treatment within WLPZ will entail removing brush species, pruning and thinning understory trees. Crews shall not deposit sawdust or other debris into watercourse channels. The proposed treatments will not result in a significant reduction in shade canopy.

Land Use and Planning

- ☒ This topic does not apply to this project and was not evaluated further.
☐ This topic could apply to this project, and results of the assessment are provided below:

Mineral Resources

- ☒ This topic does not apply to this project and was not evaluated further.
☐ This topic could apply to this project, and results of the assessment are provided below:

Noise

- ☐ This topic does not apply to this project and was not evaluated further.
☒ This topic could apply to this project, and results of the assessment are provided below:

The use of mechanized equipment (chainsaws or chipper) will generate noise during fuel reduction activities. Portions of the project area are located within close proximity to residences. Therefore, as a means to reduce potential impacts created by noise, use of mechanized equipment shall only be conducted during the hours of 0800 – 1700, Monday - Friday.

Population and Housing

- ☒ This topic does not apply to this project and was not evaluated further.
☐ This topic could apply to this project, and results of the assessment are provided below:

Public Services

- ☒ This topic does not apply to this project and was not evaluated further.
☐ This topic could apply to this project, and results of the assessment are provided below:

Recreation

- ☒ This topic does not apply to this project and was not evaluated further.
☐ This topic could apply to this project, and results of the assessment are provided below:

Transportation/Traffic

- ☐ This topic does not apply to this project and was not evaluated further.

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☒ This topic could apply to this project, and results of the assessment are provided below:

This project will generate an insignificant amount of road traffic from work crews and project management. This project will not generate road blockages or impede ingress or egress to or from the treatment areas in any significant way.

Utilities and Service Systems

☒ This topic does not apply to this project and was not evaluated further.

☐ This topic could apply to this project, and results of the assessment are provided below:

Changes Made to Avoid Environmental Impacts:

No environmental adverse impacts were anticipated, resultant from the project as proposed. Therefore, no changes were necessary to lessen or avoid a significant adverse environmental impact.

Mandatory Findings of Significance:

YES **NO**

☐ ☒

- (c) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

- (b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects)

☐ ☒

- € Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

☐ ☒

Justification for Use of a Categorical Exemption (discuss why the project is exempt, cite exemption number(s), and describe how the project fits the class):

The proposed project qualifies for a Categorical Exemption under CEQA Guidelines Section 15304. Pursuant to Section 15303, Class 4 consists of private alterations of vegetation which do not involve removal of healthy, mature, scenic trees.

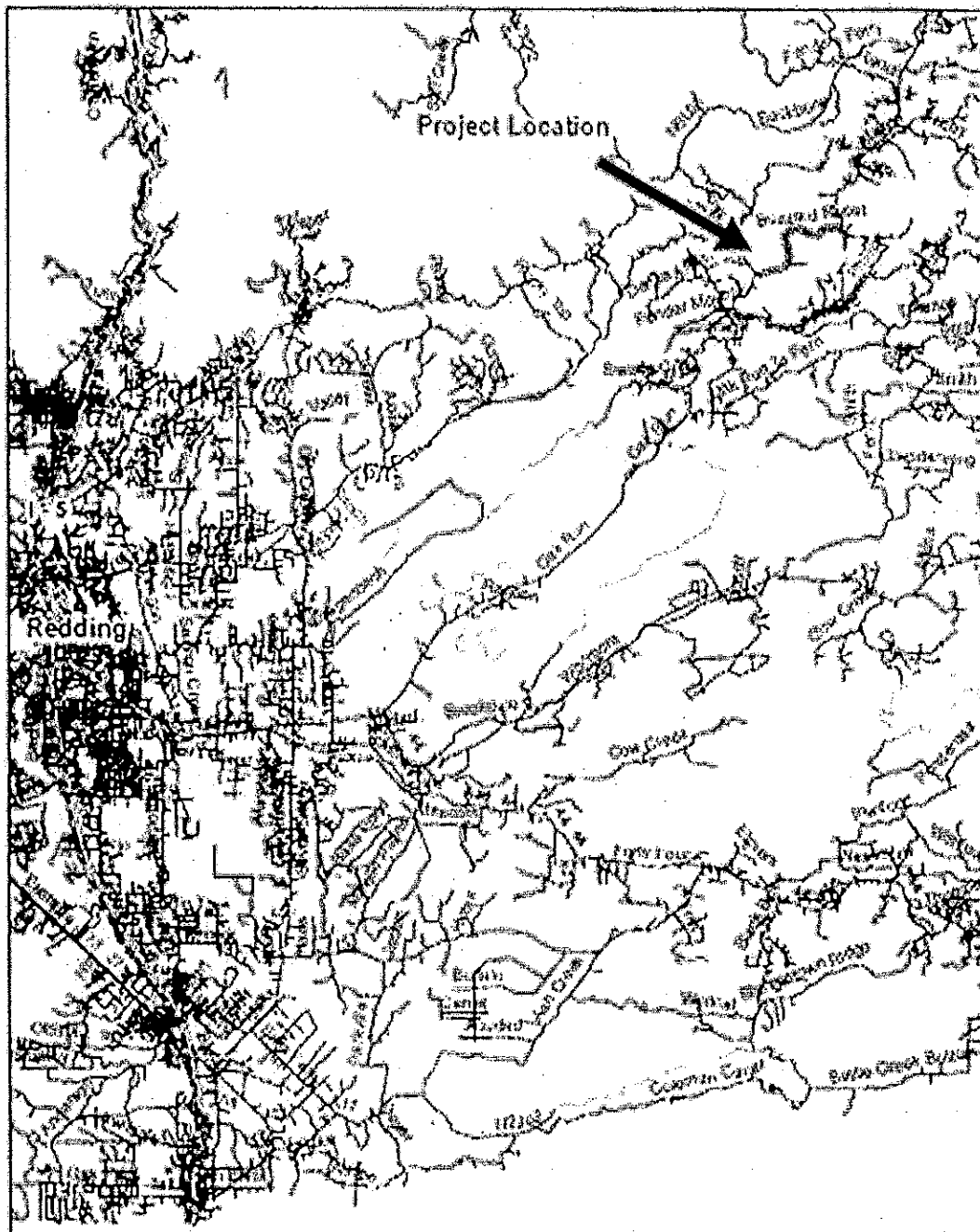
The project involves thinning and chipping understory trees and shrubs.

Conclusion:

☒ After assessing potential environmental impacts and evaluating the description for the various classes of Categorical Exemptions to CEQA, CAL FIRE has determined that the project fits within one or more of the exemption classes and no exceptions exist at the project site which would preclude the use of this exemption. The Department considered the possibility of (a) sensitive location, (b) cumulative impact, (c) significant impact due to unusual circumstances, (d) impacts to scenic highways, (e) activities within a hazardous waste site, and (f) significant adverse change to the significance of a historical resource. A Notice of Exemption will be filed at the State Clearinghouse.

☐ After assessing potential environmental impacts and evaluating the description for the various classes of Categorical Exemptions to CEQA, CAL FIRE has determined that the project does not fit within the description for the various exemption classes or has found that exceptions exist at the project site which precludes the use of a Categorical Exemption for this project. Additional environmental review will be conducted and the appropriate CEQA document used may be a Negative Declaration or a Mitigated Negative Declaration.

Cow Creek Fuels Reduction Project - Phase 1

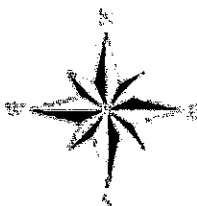


Legend

- Roadside Fuelbreak
- Highway
- Other Highways (Main Artery)
- Roads

0 5 10 Miles






1:250,000



Cow Creek Fuels Reduction Project Phase 1



Legend

-  Roadside_Fuelbreak
-  Other Highways. (Main Artery)
-  Roads
-  Unpaved dirt trail
-  Private Service Road

0 0.5 1 2 Miles

1:40,000

